

09/554784

422 Rec'd PCT/PTO 19 MAY 2000

HANDAL & MOROFSKY  
Counsellors at Law  
80 Washington Street  
Norwalk, Connecticut 06854

Paul Morofsky 1926-1986  
District of Columbia Office  
American Center - Tysons Corner  
Suite 500  
8300 Boone Boulevard  
Vienna, Virginia 22182

Telephone: 203-838-8589  
Facsimile: 203-838-8794  
Telex: 429283 PATSLAW

May 19, 2000

BOX PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Mark DE BOER et. al.  
U.S. National Phase of International Application No.: PCT/US98/00663 filed: 19 Nov. 1998  
entitled: "COMPOSITIONS AND METHODS FOR TREATMENT OF AUTOIMMUNE  
DISEASES, USING A MONOCLONAL ANTIBODY TO THE INTERLEUKIN-12 BETA2-  
CHAIN"  
Serial No.: Unknown Filed: Herewith  
Attorney Docket No.: DEBOER2

SIR:


We enclose herewith:

- ☒ Transmittal Letter concerning Filing under 35 USC 371
- ☒ Copy of International Application PCT/NL98/00663 Publication WO 99/25737
- ☒ Copy of International Preliminary Examination Report dated March 16, 2000
- ☒ Copy of International Search Report dated April 12, 1999
- ☒ Notification of Receipt of Record Copy (with Annex to Form PCT/IB/301)
- ☒ Notification Concerning Submission or Transmittal of Priority Document
- ☒ Notification of the Recording of a Change
- ☒ Notice Informing the Applicant of the Communication of the International Application to the Designated Offices
- ☒ Information Concerning Elected Offices Notified of Their Election
- ☒ Notification of Transmittal of the International Preliminary Examination Report
- ☒ Preliminary Amendment
- ☒ Check for \$970.00
- ☒ Acknowledgment Postcard

The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 08-0570.

The applicants hereby petition under 37 CFR 1.136 or other applicable rule to have the response period extended the number of months necessary to render the attached communication timely if a petition is required.

Respectfully submitted,

  
Anthony H. Handal  
Reg. No. 26,275

Express Mail Label No: EL465268273US

|  |  |   |   |
|--|--|---|---|
| FORM PTO-1390 (Modified)<br>(REV 11-98)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>DEB 2</b>                                    |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371 |  |   | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)<br><b>Unknown 09/554784</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/NL98/00663</b>   | INTERNATIONAL FILING DATE<br><b>19/11/1998</b> | PRIORITY DATE CLAIMED<br><b>19/11/1997</b>              |   |

## TITLE OF INVENTION

**COMPOSITIONS AND METHODS FOR TREATMENT OF AUTOIMMUNE DISEASES, USING A MONOCLONAL ANTIBODY TO THE INTERLEUKIN-12 BETA2-CHAIN**

APPLICANT(S) FOR DO/EO/US

**TANOX PHARMA B.V.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail **EL465268273US**
20. ☐ Other items or information:

|   |   |                                     |
|---|---|-------------------------------------|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. 1.55)<br>Unknown 5178 | INTERNATIONAL APPLICATION NO.<br>PCT/NL98/00663 | ATTORNEY'S DOCKET NUMBER<br>DEBOER2 |
|---|---|-------------------------------------|

21. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :**

- |                                     |   |                 |
|-------------------------------------|---|-----------------|
| <input type="checkbox"/>            | Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . | <b>\$970.00</b> |
| <input checked="" type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .   | <b>\$840.00</b> |
| <input type="checkbox"/>            | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .  | <b>\$690.00</b> |
| <input type="checkbox"/>            | International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$670.00</b> |
| <input type="checkbox"/>            | International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$96.00</b>  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE                     |        |  |
|--|--------------|--------------|--------------------------|--------|--|
| Total claims                                     | - 20 =       | 0            | x \$18.00                | \$0.00 |  |
| Independent claims                               | - 3 =        | 0            | x \$78.00                | \$0.00 |  |
| Multiple Dependent Claims (check if applicable). |              |              | <input type="checkbox"/> | \$0.00 |  |

### TOTAL OF ABOVE CALCULATIONS

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

**SUBTOTAL =**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**TOTAL NATIONAL FEE**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable)**.

**TOTAL FEES ENCLOSED**

|                           |    |
|---------------------------|----|
| Amount to be:<br>refunded | \$ |
| charged                   | \$ |

- ☒ A check in the amount of **\$970.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **08-0570** A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**Handal & Morofsky**  
80 Washington Street  
Norwalk, CT 06854

**SIGNATURE**

**Anthony H. Handal**

NAME \_\_\_\_\_

**Reg. No. 26,275**

REGISTRATION NUMBER

DATE \_\_\_\_\_